

RESOLUTION NO. 06-01-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING AN APPLICATION BY T & M DESIGN, INC., AS THE APPLICANT AND THE AGENT FOR THE PROPERTY OWNER, LPJ PROPERTIES, INC., TO EXTEND THE EXPIRATION DATE OF THE SITE PLAN FOR A 10,293 SQUARE FOOT OFFICE/WAREHOUSE BUILDING TO BE LOCATED ON LOT 8 OF THE GATEWAY INDUSTRIAL PARK IN THE TOWN OF LAKE PARK, FLORIDA, FROM FEBRUARY 2, 2008 UNTIL FEBRUARY 2, 2009; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission, as the governing body of the Town of Lake Park, Florida ("Town"), is authorized and empowered to approve or deny, in whole or in part, petitions for development orders; and

WHEREAS, T & M Design Inc., ("Applicant"), is the Applicant and the authorized agent for LPJ Properties, Inc., ("Owner"), who is the owner of the real property located at Lot 8 in the Gateway Industrial Park, Gateway Road, Lake Park, Florida, as more particularly described in **Exhibit "A"** ("subject property"); and

WHEREAS, the Applicant has submitted an application ("Application") requesting the Town Commission to grant a 2-year extension of the expiration date of the Site Plan for a 10,293 square foot office/warehouse building to be constructed on the subject property, and which was previously approved by the Town Commission on August 2, 2006 pursuant to Resolution No. 43-08-06, from February 2, 2008 until February 2, 2010; and

WHEREAS, Town staff has reviewed the Application for a 2-year extension of the Site Plan, and has recommended that the Town Commission grant a 1-year extension of the Site Plan from February 2, 2008 until February 2, 2009; and

WHEREAS, at a duly noticed and advertised, quasi-judicial hearing, the Town Commission has considered the Application, and the recommendations and evidence presented by Town staff, the Applicant, the Owner, and members of the public, regarding the Application's consistency with the Town Code, the Town's Comprehensive Plan, and whether it meets the Town's Land Development Regulations; and

WHEREAS, the Town Commission has reviewed the Application, taking into consideration the requirements of Town Code Section 67-42 pertaining to requests for extensions of time for development order approvals, and has determined that a 1-year extension of time for the expiration of the subject Site Plan from February 2, 2008 until February 2, 2009, is in the best interests of the public health, safety, and general welfare; and

WHEREAS, the Owner, and its successors and assigns shall be subject to the conditions contained in Section 2 herein, and those set forth in Resolution No. 43-08-06.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby grants a one-year (1-year) time extension for the expiration of the Site Plan for a 10,293 square foot office/warehouse building to be constructed on the subject property, and which was previously approved by the Town Commission on August 2, 2006 pursuant to Resolution No. 43-08-06. The Site Plan shall expire on February 2, 2009, unless all required permits are obtained, and development is initiated in accordance with the requirements of the Town Code and the original Site Plan approval and Resolution No. 43-08-6, and all other applicable rules, regulations, laws and ordinances of any governing body with jurisdiction. All terms and conditions of Resolution No. 43-08-06, shall remain in full force and effect.

Section 3. This Resolution shall become effective upon adoption.

Attachments: Exhibit "A"- Legal description of subject property

LEGAL DESCRIPTION

LOT 8, GATEWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF
ON FILE IN THE OFFICE OF THE CLERK OF THE COURT IN AND FOR PALM
BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 30, PAGE 148.

The foregoing Resolution was offered by Commissioner Osterman, who moved its adoption. The motion was seconded by Commissioner Balius, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR PAUL W. CASTRO	<u>Absent</u>	<u> </u>
VICE-MAYOR ED DALY	<u>✓</u>	<u> </u>
COMMISSIONER CHUCK BALIUS	<u>✓</u>	<u> </u>
COMMISSIONER JEFF CAREY	<u>✓</u>	<u> </u>
COMMISSIONER PATRICIA OSTERMAN	<u>✓</u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution NO. 06-01-08 duly passed and adopted this 16 day of January, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Ed Daly
for PAUL W. CASTRO
MAYOR

ATTEST:

Vivian Mendez
VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird
for THOMAS J. BAIRD
TOWN ATTORNEY